

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Mario Gibson,

Plaintiff,

v.

Case No. 1:21cv292

City of Cincinnati, *et al.*,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on July 13, 2021 (Doc. 8).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the R&R in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 8) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 8) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the Complaint (Doc.6) is **DISMISSED with prejudice** pursuant to 28 U.S.C. § 1915A(b)(1), with the exception of Plaintiff’s excessive-force cause of action against Defendant Crawford in his individual capacity. See 28 U.S.C. § 1915A(b); and the Court **DECLINES** to exercise supplemental jurisdiction under 28 U.S.C. § 1367(c)(3) over any state-law claims against dismissed Defendants City of Cincinnati, Hamilton County

Sheriff's Office, Lt. Reed, Lt. Buchanan, and Jail Investigator High and **DISMISS** any such claims **without prejudice**.

This Court certifies that pursuant to 28 U.S.C. § 1915(a)(3) that for the foregoing reasons an appeal of this Order would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601 (6th Cir. 1997), *overruled on other grounds*, *Jones v. Bock*, 549 U.S. 199, 203 (2007).

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court